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Report of the Secretary-General on the United Nations Integrated Mission in Timor-Leste (for the period from 7 January through 20 September 2012)

I. Introduction

1. The present report is submitted pursuant to Security Council resolution 2037 (2012), by which the Council extended the mandate of the United Nations Integrated Mission in Timor-Leste (UNMIT) until 31 December 2012. It covers major developments in Timor-Leste and the implementation of the Mission's mandate from 7 January through 20 September 2012. It also includes my recommendations on the way forward for UNMIT and the Government of Timor-Leste to finalize preparations for the Mission's withdrawal consistent with the situation on the ground and the views of the Government concerning the post-UNMIT United Nations role in the country. My Special Representative for Timor-Leste, Ameerah Haq, led the Mission until 9 June, when Finn Reske-Nielsen, who previously served as my Deputy Special Representative for Governance Support, Development and Humanitarian Coordination, became my Acting Special Representative. They were assisted by my Deputy Special Representative for Security Sector Support and Rule of Law, Shigeru Mochida. UNMIT continued its "one United Nations system" approach, consistent with its integrated strategic framework.

II. Political developments since 7 January 2012

2. The Technical Secretariat for Electoral Administration of the Government of Timor-Leste effectively organized two rounds of the presidential election on 17 March and 16 April and the parliamentary election on 7 July, with the National Electoral Commission supervising the electoral process. They were characterized by high voter participation of 73 to 78 per cent, a calm security environment, and acceptance of results by all candidates, political parties and the general population. As a result of the elections, the former Commander of the Timorese armed forces (Falintil-Forças Armadas de Defesa de Timor-Leste (F-FDTL)), Taur Matan Ruak, who ran as an independent, was sworn in as the new President on 20 May, and the new Parliament was inaugurated on 30 July. Four parties won seats in the 65-member Parliament: Congresso Nacional de Reconstrução de Timor-Leste (CNRT), 30 seats; Frente Revolucionária do Timor-Leste Independente (Fretilin), 25 seats; Partido Democrático (PD), 8 seats; and Frenti-Mudança (FM), 2 seats. Quotas

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established in electoral legislation resulted in women assuming 38 per cent of the seats (25), the highest in the Asia-Pacific region.

3. With no party winning an absolute majority, CNRT, PD and FM entered into a coalition to form the new Government. On 8 August, the members of the new Government were sworn in by President Taur Matan Ruak, including CNRT President Kay Rala Xanana Gusmão as Prime Minister, 16 Ministers (two women), 12 Vice-Ministers and 26 Secretaries of State. Fretilin became the opposition party and has not challenged the legitimacy of the new Government, in contrast with the situation in 2007 (see S/2007/513, para. 4); it continues to actively participate in and contribute to parliamentary debates. On 14 September, Parliament endorsed the five-year programme of the Fifth Constitutional Government presented by Prime Minister Xanana Gusmão following a three-day debate that was broadcast live on national television and radio.

4. During the respective campaign periods, totalling almost two months, the candidates and political parties travelled extensively throughout the country hosting rallies, holding community dialogues and conducting door-to-door campaigning. These activities took place in a calm environment, with no serious campaign-related security incidents. During the campaigns, candidates frequently referred to the need for continued peace and stability and encouraged responsible participation by their supporters. Complaints of alleged misconduct were channelled through the appropriate regulatory and legal mechanisms. National and international electoral observation groups (comprising over 2,500 observers for each election), including from the Association of Southeast Asian Nations (ASEAN) Regional Forum, the Community of Portuguese-Speaking Countries and the European Union, issued generally positive assessments of the elections, although some expressed concerns regarding the regulation of campaign financing.

5. In addition to successfully carrying out these electoral processes, in 2012, the Timorese authorities organized large-scale celebrations to mark several historic events. On 20 May, Timor-Leste celebrated the tenth anniversary of the restoration of its independence at a ceremony attended by a number of high-level regional and international dignitaries, including the Presidents of Indonesia and Portugal and the Governors-General of Australia, New Zealand and Tuvalu, as well as my Special Adviser on Myanmar; the day also marked the transfer of power from then President José Ramos-Horta to the new Head of State (see para. 2 above). On 30 August, the thirteenth anniversary of the popular consultation was celebrated at a ceremony at the Government Palace in Dili, at which President Taur Matan Ruak emphasized that the key to Timor-Leste's victory had been the unity and resolve of [its] people and appealed to all to work together in earnestness, honesty and a spirit of sacrifice, to alleviate poverty and to use the wealth of the nation to build a better, more prosperous country for the sons and daughters of Timor-Leste.

6. The Government also marked International Women's Day on 8 March with a number of events, including a celebration at the Dili Convention Centre at which the Prime Minister and my Special Representative highlighted the importance of women's participation in national development processes and the empowerment of rural women. Various ministries received awards recognizing their achievements in implementing gender-mainstreaming policies and strategies over the previous five years. On 6 February, as part of activities in advance of International Women's Day, Parliament held an extraordinary session to launch the Report on the National

Conference on Reproductive Health, Family Planning and Sex Education (see S/2010/522, para. 45), which was finalized with support from the United Nations Population Fund (UNFPA) and other United Nations agencies.

7. I had the pleasure of visiting Timor-Leste on 15 and 16 August, shortly after the formation of the new Government, and met with President Taur Matan Ruak, Prime Minister Xanana Gusmão, President of Parliament Vicente Guterres, Fretilin Secretary-General Mari Alkatiri and other leaders and stakeholders. I also addressed Parliament, attended the Fragility Assessment Workshop hosted by the Ministry of Finance (a component of the New Deal for Engagement in Fragile States) and visited the Police Training Centre and the new Museum of the Resistance. In highlighting my new global Education First initiative, I delivered a lecture to students from the National University of Timor Lorosa'e and engaged with primary school students to emphasize the importance of quality, relevant and inclusive education. Throughout my visit, I underlined the significant progress made by Timor-Leste in many spheres over the past decade and since the 2006 crisis, including the maintenance of a stable security environment, the resumption of all policing responsibilities by the Polícia Nacional de Timor-Leste (PNTL) in March 2011, and the successful conduct of the 2012 elections. I encouraged an inclusive approach in consolidating gains and in addressing challenges, including in the socioeconomic realm, in furtherance of Timor-Leste's commitment to democratic governance, the rule of law and building a secure and stable future. I also welcomed the establishment of a team composed of staff from the Government, the Office of the President and the Parliament to come to a joint position on the post-UNMIT United Nations engagement and reiterated that Timor-Leste can count on the Organization's continued steadfast support. All the Timorese leadership and other interlocutors expressed their gratitude for the support of the United Nations over the years.

A. Support for dialogue and reconciliation

8. My Special Representative and Acting Special Representative continued their good offices through regular meetings with the President, the Prime Minister, the President of Parliament and the Secretary-General of Fretilin. Among the main issues discussed were the preparations for and conduct of the elections, support for strengthened capacity-building and institutional development of PNTL, and the ongoing transition process and planning for the UNMIT drawdown. They also continued to host meetings with representatives of all political parties, women political party representatives and civil society representatives. During the election periods with heightened political activity, they consistently stressed the importance of constructive and responsible political participation and emphasized that successful elections could be a defining milestone in the country's recovery from the events of 2006. My Deputy Special Representative for Security Sector Support and Rule of Law continued to meet with the Secretaries of State for Security and for Defence to discuss, respectively, policing and broader security sector issues, particularly UNMIT's capacity-building support in the priority areas of the PNTL-UNMIT Police Joint Development Plan.

9. At a 28 February event organized by the National Electoral Commission prior to the beginning of the presidential election campaign with over 1,000 participants, 12 of the 13 presidential candidates (with Francisco Xavier do Amaral absent for

health reasons) and 22 of the 24 registered political parties signed a national-level pact pledging to abide by all electoral laws and regulations, promote human rights and gender equality, and respect the election results. Beginning with a traditional ceremony with elders from all 13 districts, the event culminated in a debate among the 12 presidential candidates moderated by the President of the Commission, which was broadcast on national television and radio. As part of the Commission's programme to prevent conflict and strengthen peace during the electoral period, the national pact was preceded by similar pacts and peace ceremonies in all 13 districts, which demonstrated an impressive commitment to ensuring peace and stability during the electoral period.

10. To further facilitate grass-roots dialogue and civic participation, leaders from district administrations and villages organized 45 democratic governance forums throughout the country between 7 January and 20 September, with UNMIT support. Fostering the active engagement of 2,785 participants (569 women), the forums focused on such topics as ensuring peaceful elections, citizens' expectations of their elected officials, and their own contributions to the country.

B. Enhancing democratic governance

11. The electoral management bodies successfully carried out the legal, operational and logistical processes necessary for credible elections. The Technical Secretariat for Electoral Administration conducted an update of the voter registration list from 2 to 18 May and organized two rounds of the presidential election and the parliamentary election within a four-month period. This required the recruitment and training of about 8,800 polling officials, who worked at 640 polling stations. The oversight body, the National Electoral Commission, deployed about 700 officials to the districts to monitor campaigning and supervise the work of the Technical Secretariat.

12. An integrated team of 170 personnel from UNMIT and the United Nations Development Programme (UNDP) provided support to the Technical Secretariat and the National Electoral Commission, including 130 United Nations Volunteers who focused on operational planning, voter and civic education, capacity-building and logistics. UNMIT also provided limited air transport of electoral officials and materials to inaccessible areas on election days. However, the extent of United Nations support was much less than for the 2007 elections, since the capacities of the electoral management bodies have increased significantly.

13. There were various outreach initiatives targeting specific segments of the population to encourage participation in the electoral processes, which were supported by the United Nations Children's Fund (UNICEF), the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), UNMIT and UNDP (see S/2012/43, para. 11). The electoral management bodies organized discussions and produced media products to highlight the importance of participation by young people and first-time voters, including posters, radio and television spots, and brochures for secondary school students, with support from UNICEF. For the first time, the Technical Secretariat for Electoral Administration also produced media products to encourage persons with disabilities to vote. The Secretariat of State for the Promotion of Equality and civil society organizations

conducted a range of activities targeting women voters, including the first series of nationally televised debates among women parliamentary candidates in June.

14. The Decree Law on Integrated District Development Planning was promulgated on 6 February and defines the rules on jurisdiction, planning, implementation and funding for the execution of State projects at the district and subdistrict levels, which will help to ensure that the State budget is invested in areas identified as priorities by districts and subdistricts. The United Nations Capital Development Fund and UNDP assisted with planning, financial management, procurement and implementation procedures associated with the plans.

15. Efforts to strengthen anti-corruption processes continued. On 22 June, Timor-Leste's executive summary of its self-assessment review on the implementation of the United Nations Convention against Corruption was adopted at a meeting of the Implementation Review Group of the Convention in Vienna; Timor-Leste became the fourth of 41 States parties under review in 2011 to publish it. The executive summary presented various recommendations, including to explore ways that would allow for more expeditious investigations; to consider including in the draft anti-corruption law provisions to address gaps or enhance the effectiveness of the current laws on, inter alia, the protection of whistle-blowers and experts; and to include in the curriculum of the Legal Training Centre specialized modules on international cooperation on criminal matters relating to corruption. UNMIT and UNDP continued to support the Anti-Corruption Commission, including by providing technical advice through the Convention review process. On 28 and 29 March, a workshop was organized by the Global Organization of Parliamentarians against Corruption and UNDP for parliamentarians and civil society representatives to provide substantial knowledge about the Convention and encourage more active involvement in the formal self-evaluation process. During the reporting period, the Anti-Corruption Commission submitted 14 completed investigations to the Office of the Prosecutor-General; 7 others are ongoing. On 8 June, the Dili District Court convicted and sentenced the then Minister of Justice to five years in prison and a compensation payment of $4,350 for unlawful conduct in the process of a procurement contract. The Minister subsequently submitted an appeal.

16. UNMIT also supported the establishment of professional associations for accountants and engineers on 31 March and 27 July respectively, which aim to promote the standardization of accounting and engineering procedures and qualifications. UNMIT hosted the steering committee meetings of both associations, provided interim secretariat services, and facilitated links with regional and international professional organizations focused on these areas.

17. A number of the benchmarks of the medium-term strategy (see S/2009/72, para. 47) relating to a culture of democratic governance and dialogue have largely been met, but sustained political will over the long term will be required to ensure that the progress achieved is further consolidated and built upon. Constitutional rights and guarantees for all citizens are being promoted; checks and balances among the four pillars of sovereignty are provided for in the Constitution and relevant legislation; the Civil Service Commission has issued a code of ethics that applies to all public servants; and an overarching anti-corruption legal framework has been established, although a draft anti-corruption law needs to be submitted to Parliament. (The earlier draft law was considered by the previous Parliament but not approved.) The independent media sector is active, although journalists need

additional capacity-building support and training (see S/2012/43, para. 14). While the law establishing the Audit Chamber of the High Administrative Tax and Audit Court was approved on 6 July 2011 and its staff have been recruited and trained (ibid., para. 15), it has not yet become fully operational. In the meantime, capacities and mechanisms for the oversight and transparency of public expenditure have increased, including through the Government's establishment of web-based transparency portals.

C. Maintenance of public security

18. The security situation in the country remained stable and the reported crime rate continued to be low. Offences relating to assault and domestic and gender-based violence continued to constitute the majority of reported crimes, with the highest number in Dili District. No significant incidents relating to martial arts groups have been reported to police since the suspension of their activities on 22 December 2011 (ibid., para. 18).

19. As mentioned above, the presidential and parliamentary elections were held in a generally peaceful and orderly atmosphere. Throughout the electoral process, PNTL provided the necessary security, with UNMIT police available in a support role. Following a nationally televised CNRT conference on 15 July, some incidents of public disorder, mainly stone-throwing and roadblocks, broke out in Dili and Viqueque Districts. UNMIT police supported PNTL operations to deal with certain incidents, including through the deployment of formed police units, and the security situation returned to normal in these districts in less than a week. During one of the incidents on 16 July in Dili District, a 19-year-old male was allegedly shot by a PNTL officer and subsequently died (see para. 38 below). The officer was suspended and is facing disciplinary and criminal proceedings.

20. Overall, public confidence in PNTL has grown, although the manner in which PNTL officers have handled certain incidents has contributed to some continuing negative perceptions. Although community policing is enshrined in PNTL organic law as a guiding principle, the implementation of community policing approaches varied widely during the reporting period and often depended on the commitment of the respective PNTL District Commanders. Incidents resulting in allegations of excessive use of force by PNTL officers or inappropriate use of firearms (see paras. 37-39 below) also affected public trust. The PNTL Department of Justice, which is responsible for disciplinary investigations, continued to face a number of challenges, including human resources limitations. Efforts continued to be made by the Government and PNTL to improve its disciplinary investigation capacities, including through the PNTL Strategic Development Plan 2011-2012, the PNTL-UNMIT Police Joint Development Plan, the PNTL/UNMIT Police/UNDP Joint Programme on Strengthening National Police Capacity in Timor-Leste (2011-2012) (see S/2012/43, para. 22), and the Joint Transition Plan of the Government and UNMIT.

21. UNMIT police activities concentrated on support for further institutional strengthening and capacity-building of PNTL, in accordance with the PNTL-UNMIT Police Joint Development Plan (see S/2011/641, para. 26), while PNTL continued to be responsible for the conduct of all police operations. Pursuant to the 26 March 2011 exchange of letters between the Government and UNMIT and a

standing request from the PNTL General Commander (ibid., para. 8), UNMIT police provided continuing operational support in several areas, including close protection, joint patrols and border policing. Following the planned progressive drawdown, as at 20 September 2012, 1,149 officers (90 women) were deployed as part of the UNMIT police, 490 of them in formed police units (2 women). Of the latter, 287 officers were deployed in Dili.

22. UNMIT police continued to conduct joint patrols with and provide support and advice to the PNTL Border Patrol Unit at the five border crossing-points with Indonesia. UNMIT military liaison officers continued to facilitate effective working relationships between the border security agencies of Timor-Leste and Indonesia and to monitor the security situation along the border and throughout Timor-Leste. Close liaison with international security forces continued.

23. An important development in border security and harmonious cross-border relations was the inauguration on 4 February of the first integrated border post at Batugade in Bobonaro District and a traditional market, which was attended by the then President, the Prime Minister and the Ambassador of Indonesia to Timor-Leste. The post consists of several co-located border control agencies, including immigration and customs, to facilitate the movement of people and goods. Integrated border posts were also opened in Oecussi and Covalima Districts on 28 June and 26 July respectively.

D. Support for and institutional strengthening of security institutions

24. UNMIT police support continued to focus on the implementation of activities in the five priority areas of the Joint Development Plan (legislation, training, administration, discipline and operations) (see para. 21 above), while also providing operational support if so required and requested. The Joint Evaluation Team, chaired by the PNTL General Commander and the UNMIT Police Commissioner, continued to meet monthly to review progress reports on the implementation of the Plan and to ensure that appropriate action was being taken to address remaining gaps. As at 20 September, UNMIT police had completed 451 of the 559 training and capacity-building activities (81 per cent) outlined in the Plan. Some notable achievements included the establishment of a forensic laboratory, the development of PNTL job descriptions and staffing tables, and the creation of armoury and archiving databases. In addition, PNTL officers attended a total of 11,634 training sessions in the areas of legislation, discipline, administration, human rights, gender awareness, domestic violence law, petty cash management, arrest procedures, public order management, leadership, supervision, close protection, information technology, map reading, command and control, armoury management, forensics and intelligence-gathering. The PNTL General Commander and the UNMIT Police Commissioner reported on progress in the implementation of the Joint Development Plan to the High-level Committee on Transition at its meetings on 2 February, 27 April and 10 August.

25. Other training-related UNMIT initiatives included support for PNTL desktop and live exercises in preparation for the elections, and technical support to the ongoing recruitment of PNTL officers. High-level PNTL/UNMIT police working groups (see S/2012/43, para. 22) continued meeting to review administrative and legislative policies and procedures, although at a slower pace owing to operational

priorities during the electoral process. The PNTL/UNMIT Police/UNDP Joint Programme on Strengthening National Police Capacity in Timor-Leste (2011-2012) continued to be implemented, with a particular focus on supporting PNTL in the areas of legislation, discipline, administration and training (ibid.). Under the project, UNMIT police activities undertaken included PNTL infrastructure improvements, training courses and the provision of basic equipment. With additional funding secured, the project was extended until December 2012 to provide support to PNTL in such areas as discipline, internal audit, asset management, criminal investigation, community policing and vehicle fleet maintenance, thereby expanding to cover all Joint Development Plan priority areas, including operations.

26. The Office of the Secretary of State for Security continued to manage the case files of the 199 PNTL officers who had pending criminal or disciplinary issues when they were certified by the Secretary of State for Security on 28 December 2010 (see S/2011/641, para. 29). As at 20 September, 135 cases had been closed with no disciplinary or criminal sanctions imposed that would affect the officers' qualifications for promotion; 49 cases were pending disciplinary, criminal and/or administrative proceedings; seven officers had been dismissed; and eight officers had received disciplinary sanctions and had consequently been denied consideration for promotion. UNMIT continued to monitor the progress of the 49 cases and raised concerns regarding follow-up action with the Office of the Secretary of State for Security.

27. It had been agreed by the Government and UNMIT that any decision on the final reconstitution of PNTL should come after the elections and formation of the new Government (see S/2012/43, para. 23). Further to the agreement between the Prime Minister and my former Special Representative, Ameerah Haq, on the modalities for carrying out the assessment required for the ultimate decision on certification, to be made on the basis of criteria agreed between UNMIT and the Government (as envisaged in the 26 March 2011 exchange of letters), the PNTL General Commander and the UNMIT Police Commissioner established, by a joint directive, a Working Group on Certification comprising PNTL and UNMIT police personnel on 21 June to facilitate the process. As set out in the directive, the Working Group was tasked to evaluate and report on the following three agreed criteria for certification: (a) PNTL's continued exercise of responsibility for police operations, including adequate responses to any public order incidents since the March 2011 resumption; (b) whether the remaining gaps and weaknesses identified in the joint assessments of all districts and units (ibid.) are being addressed through the implementation of the necessary arrangements, including through concentrated training and capacity-building activities outlined in the PNTL-UNMIT Police Joint Development Plan; and (c) continued and identifiable progress in the five agreed major areas of the aforementioned Plan (see para. 24 above). In connection with this process, the Working Group was also tasked to present a joint report and recommendations to the PNTL General Commander and the UNMIT Police Commissioner. In undertaking its evaluation, the Working Group followed an approved workplan and conducted interviews based on a questionnaire given to PNTL District and Subdistrict Commanders and Section Chiefs as well as UNMIT Police District Commanders, and performed on-site inspections, record checks and document reviews in all 13 districts in order to complement the received information. The Working Group is currently compiling its report.

28. The agreed final Working Group report will be submitted to the PNTL General Commander and the UNMIT Police Commissioner for a joint written evaluation of whether PNTL should be certified as fully reconstituted and capable of conducting all police functions throughout Timor-Leste on the basis of criteria agreed upon between the Government and UNMIT pursuant to the aforementioned exchange of letters (see S/2011/641, para. 26). The Working Group's report and the joint written evaluation thereof by the PNTL General Commander and the UNMIT Police Commissioner will inform the ultimate decision of the Prime Minister and my Acting Special Representative regarding the full reconstitution of PNTL. This decision on certification of full reconstitution will likely be taken by the end of October 2012. The certification will mark the end of the reconstitution phase and of operational support by the UNMIT police to PNTL. It is planned that the UNMIT police will then proceed with a significant drawdown throughout the month of November.

29. Earlier, a team from the Police Division of the Department of Peacekeeping Operations, led by the Police Adviser, visited Timor-Leste from 21 April to 5 May, and met with various interlocutors, including from the Government and State institutions, PNTL, UNMIT, the United Nations country team and bilateral partners. The focus of the team's visit was to assist the Mission in finalizing the phased police drawdown plan; identify key UNMIT police skills required until the end of the mandate to provide continued support to PNTL; assess progress made in preparation for certification of the PNTL's full reconstitution; and identify any support needed by UNMIT to complete the aforementioned tasks in cooperation with the relevant Government authorities. In its report, the team acknowledged the progress made by PNTL and the remaining weaknesses or gaps to be addressed in each of the five areas of the Joint Development Plan. It also highlighted the need for continued support from bilateral and multilateral partners to PNTL on the basis of nationally owned police development plans to ensure the sustainability of capacity-building achievements.

30. To complement donor coordination efforts, the UNMIT police continued to work closely with PNTL to ensure continued support to partners in strengthening capacity-building and institutional development, especially beyond 2012. In this regard, PNTL, with UNMIT police support, held three "Friends of PNTL" meetings on 7 June, 2 August and 4 September with major bilateral donors, United Nations country team representatives and bilateral and United Nations partners together. It is hoped that the initiative will encourage enhanced coordinated support for PNTL, including efforts to address remaining needs and gaps in the five priority areas of the Joint Development Plan.

31. The PNTL recruited 250 additional cadets (25 women), who began basic training on 1 March. When they complete training in December 2012, the number of PNTL officers will increase to 3,386, including 598 women. Despite the lower number of women selected in the recent round of elections, Timor-Leste continues to have one of the highest percentages of women police officers (18 per cent) in the Asia-Pacific region, which is also important in view of the high rate of reported domestic and sexual violence requiring interaction with women victims (see para. 18 above). On International Women's Day on 8 March, the PNTL and UNMIT police held a ceremony to recognize the role and achievements of women officers in Timor-Leste's policing efforts. Further, PNTL continued to make contributions to United Nations missions in other parts of the world, with two officers serving with

the United Nations Integrated Peacebuilding Office in Guinea-Bissau. In May, an additional 17 PNTL officers (two women) became eligible for potential deployment to United Nations missions.

32. F-FDTL also made additional efforts to strengthen institutional capacities, with support from bilateral partners and UNMIT. The Government proceeded to implement recommendations in the F-FDTL Force Development Plan 2011-2017 (see S/2012/43, paras. 29 and 30), including the establishment of contract, procurement and financial management capacities within F-FDTL. UNMIT military liaison officers provided mentoring to F-FDTL liaison officers prior to their deployment to forward operating bases in Bobonaro and Covalima Districts and to additional bases established prior to the presidential election. F-FDTL was deployed in 9 of the 13 districts during the election period to provide an additional sense of security. As at 20 September, F-FDTL officers remained at those bases to perform civil-military cooperation tasks. UNMIT military liaison officers also assisted in the preparation of two F-FDTL officers to be deployed as military observers to the United Nations Mission in South Sudan in October, when the officer previously deployed will return to Timor-Leste (ibid., para. 27).

E. Support for a comprehensive review of the security sector

33. On 2 May, the Council of Ministers approved the comprehensive security sector review entitled "Securing the future", which was developed with the participation of relevant security institutions and submitted by the Secretary of State for Security. In its press release, the Council noted that the review was the first phase of an ongoing process that will make security sector institutions more efficient and effective, with clearly defined mandates that will allow well-coordinated operations. The draft national security policy was also submitted by the Secretary of State for Security to the Council on 2 May. Following feedback from the ministries concerned, the Secretary of State for Security is currently making revisions to the policy.

34. Subsidiary legislation and/or regulations on civil protection and border management are still being prepared by the Office of the Secretary of State for Security (ibid., para. 28), with UNMIT technical support. The submitted draft Decree-Law on the Regime of Private Security, which regulates private security activity and provides a regime of enforcement and sanctions, was approved by the Council of Ministers on 15 February but was not promulgated by the President owing to the absence of an organic law on the National Directorate for the Security of Public Buildings, which provides oversight of private security companies. With continuing support from the UNMIT/UNDP project on strengthening civilian oversight and management capacity in the security sector (ibid., para. 29) and UNMIT police, a draft organic law was developed to define the structure and functions of the Directorate, which is under review by the Office of the Secretary of State for Security. With project support, the Government also established and equipped the National Centre for Operational Coordination on 29 August, which will lead the coordination of fire and rescue operations. Further, UNMIT provided training to personnel of the PNTL, F-FDTL and a number of Directorates under the responsibility of the Secretariat of State for Security in areas relating to the rule of law, human rights and legislative frameworks. At a ceremony on 3 May, the

Government formally appointed the Director of the National Defence Institute, the establishment of which was supported by UNMIT and UNDP.

35. Further progress was achieved towards meeting the benchmarks of the medium-term strategy in the area of support for security sector institutions. Systems, processes and mechanisms are largely in place for the management of these institutions and to enable them to fulfil their roles as defined in legislation, including PNTL and F-FDTL. Sustained strengthening of the security sector institutions will depend in part on the continued commitment of Government leaders and of the personnel of those institutions to respect human rights, the rule of law and democratic governance principles. At the same time, particular efforts need to be made to further enhance the civilian oversight and accountability mechanisms of PNTL and F-FDTL and other security sector institutions. As the secretariats within the Ministry of Defence and Security and Parliamentary Committee B (Foreign Affairs, Security and Defence) continue to face certain capacity challenges, especially in areas relating to policy development, procurement and finance (see S/2010/85, para. 57), further attention and support is needed to address such challenges.

36. Earlier concerns about the need to ensure clear delineation between the roles and responsibilities of PNTL and F-FDTL and the risk of possible tensions among their members (see S/2006/628, paras. 31-33 and 62), have diminished, although these issues will require the continuing attention of the Timorese leadership. In public comments during the electoral period, the Commander of F-FDTL consistently maintained that F-FDTL would play only a supporting role to PNTL, underlining that the latter is the entity responsible for internal security. Furthermore, F-FDTL Commander General Lere Anan Timur and PNTL General Commander Monteiro maintained regular weekly meetings, contributing to mutual understanding and collaboration. With the increasing number of personnel at the two institutions and their likely increased interaction as F-FDTL officers are deployed to more districts, it will be important to ensure continued strong coordination and cooperation between the two entities with civilian oversight.

III. Promotion of human rights and justice

A. Support for the monitoring, promotion and protection of human rights

37. During the reporting period, UNMIT received allegations of 47 cases of ill-treatment or excessive use of force by members of PNTL and 13 cases by members of F-FDTL. Of the 47 cases involving PNTL members, 10 involved the alleged discharge of a firearm by a member, including 4 when off duty and not permitted by law to carry firearms. Two of those 10 incidents involved civilians allegedly shot by PNTL officers: one on 16 July in Hera, Dili District, resulting in a civilian death (see para. 38 below), and the other on 1 June in Caibada, Baucau District, resulting in the injury and hospitalization of three civilians. Seven of the 47 cases involved alleged illegal entry, search or arrest by PNTL; 4 of the 13 cases involving F-FDTL members were in this category. On 1 April, a group of nine uniformed F-FDTL members allegedly unlawfully searched and ill-treated a male in Covalima District, causing him to be hospitalized. The case is under criminal investigation.

38. Prosecutions of incidents involving alleged unlawful acts by PNTL and F-FDTL members progressed during the reporting period. A key witness gave a statement to the Office of the Prosecutor-General in the shooting death of a civilian allegedly as a result of gunfire by PNTL officers in Viqueque District on 3 June 2007 (see S/2011/32, para. 33). On 24 February, in a decision later upheld by the Court of Appeal, the Dili District Court sentenced a PNTL officer to 10 years' imprisonment for homicide and attempted homicide relating to a shooting incident in Dili on 28 December 2009, which resulted in the death of a civilian and injury to another (see S/2012/43, para. 31). As regards the 16 July incident mentioned in paragraph 37 above, criminal and disciplinary procedures were opened against one PNTL officer who was temporarily suspended for 90 days for allegedly shooting and killing an unarmed 19-year-old male in Hera, Dili District, on 16 July. Other PNTL officers alleged to have also been involved in the incident are under disciplinary and criminal investigation. On 23 August, the Suai District Court sentenced a PNTL officer to four years' imprisonment for negligent homicide in relation to the shooting death, while off duty, of a 19-year-old woman at a party in Bobonaro District on 5 November 2011 (ibid., paras. 17 and 31) and ordered his temporary suspension from PNTL for the duration of his sentence. On 22 June, the Court released a second PNTL officer who had been arrested and held in pretrial detention for the same incident; his case was closed without formal charges being filed. On 20 April 2012, the Office of the Prosecutor-General indicted six F-FDTL soldiers in relation to the incident in Lautem District on 27 August 2010 that resulted in the death of a civilian and injuries to others (ibid., para. 31), with three of the officers charged with homicide and all six with simple assault. The trial was scheduled to begin on 21 September.

39. UNMIT also documented, and raised with the PNTL Department of Justice, instances of PNTL officers refusing to open disciplinary investigations against other officers without a written complaint from the victim(s) concerned despite the fact that a complaint by the victim is not required by law. PNTL has identified strengthening its Department of Justice as one of its priorities under the PNTL-UNMIT Police Joint Development Plan.

40. There was limited progress with respect to holding accountable the persons responsible for crimes and serious violations of human rights during the 2006 crisis. As at 20 September, final judgements had been rendered in seven cases, resulting in nine convictions and 43 acquittals, and four cases had been closed. On 1 June, the Dili District Court opened the trial involving the 14 individuals indicted in connection with the arson of the Da Silva family house on 25 May 2006, which resulted in the death of six relatives of the then Minister of Interior Rogério Lobato (see S/2011/32, para. 35). On 21 February, Parliament commenced article-by-article debate on the draft laws on reparations and on the follow-up institution to the Commission for Reception, Truth and Reconciliation and the Commission of Truth and Friendship (see S/2012/43, para. 34). The debate was postponed after a walk-out by parliamentarians from various benches and a lack of quorum in the subsequent scheduled sessions on 27 and 28 February; no debate on the draft laws was held thereafter.

41. The Ministry of Social Solidarity strengthened its child protection services by providing training on care planning, psychosocial counselling, trauma and recovery, and family reintegration for its child protection officers and staff of residential care facilities for children, in cooperation with UNICEF, as well as human rights training

for its protection officers, in cooperation with UNMIT and Save the Children. With support from UNICEF and UNMIT, the National Commission on the Rights of the Child persisted in its efforts to raise awareness of children's rights and sensitization on child protection through events to celebrate International Children's Day and during the election period, targeting political leaders, teachers, families and children. On 18 April, the Council of Ministers approved a Government resolution on the National Policy for Inclusion and Promotion of the Rights of Persons with Disabilities. During the reporting period, some incidents of intimidation and threats by community members against activities of members of a Protestant church in Ritabou village, Bobonaro District were reported (see S/2011/641, para. 38).

42. Timor-Leste actively engaged with international human rights mechanisms, with technical assistance provided by UNMIT to the Ministry of Justice. On 16 March, the Human Rights Council adopted the outcome of the universal periodic review on Timor-Leste (see A/HRC/DEC/19/115; S/2012/43, para. 35). The Government of Timor-Leste accepted, inter alia, recommendations to ratify additional international human rights treaties and to report on the status of implementation of treaties already ratified. On 21 June, the Special Rapporteur on extreme poverty and human rights presented the report on her mission to Timor-Leste (13-18 November 2011) to the Human Rights Council, with recommendations for the country to focus on implementing social and economic policies that ensure inclusive and equitable growth and development for all the population, including with regard to the institutional and legal framework, improving access to justice, education, health and land rights, and strengthening the social protection system (A/HRC/20/25/Add.1; see S/2012/43, para. 37). On 5 March, the Working Group on Enforced or Involuntary Disappearances presented the report on its visit to Timor-Leste (7-14 February 2011) to the Human Rights Council (A/HRC/19/58/Add.1). In the report, the Working Group acknowledged the many efforts that Timor-Leste had made since its independence despite the challenges it faced, including in bringing about a process of national reconciliation, but considered that more remained to be done to achieve the right to truth, justice and reparation for those who disappeared and their families. In March and June 2012, the Government of Timor-Leste made statements to the Human Rights Council regarding the reports on the universal periodic review and the visit of the Special Rapporteur; civil society organizations also actively engaged with the mechanisms, with the support of UNMIT.

43. During the reporting period, the Office of the Provedor for Human Rights and Justice recruited 32 new staff (17 women) to strengthen capacity at its Dili headquarters and regional offices (see S/2011/641, para. 42). It monitored the human rights situation during the elections, with technical support from UNMIT, and shared its observations in a report released to the public on 19 July. A group of four new legal advisers (three women) at the Office of the Provedor underwent a three-month training course on international human rights law with other legal advisers from the Ministry of Justice and the Office of the President, which was facilitated by UNMIT. Additional support continued to be provided through a joint programme of the Office of the United Nations High Commissioner for Human Rights (OHCHR) and UNDP aimed at strengthening the Office of the Provedor. Despite continuing capacity-building requirements, the Office of the Provedor functioned as an independent and effective institution to protect and promote human rights, thus meeting the related medium-term strategy benchmark.

44. Under the supervision of the Office of the Prosecutor-General, the UNMIT Serious Crimes Investigation Team continued its investigations into cases relating to crimes against humanity and other serious crimes committed between 1 January and 25 October 1999. As at 20 September, investigations into 311 of the 396 outstanding cases (79 per cent) had been concluded, including 61 during the reporting period.

45. UNMIT continued to give high priority to the zero-tolerance policy on sexual exploitation and abuse, including through the provision of conduct and discipline training and sexual exploitation and abuse awareness programmes at its four regional offices. In continuing its awareness programme during the reporting period, the HIV/AIDS Unit provided HIV/AIDS-related training to 653 staff (115 women) of UNMIT and United Nations agencies.

B. Support for capacity-building and strengthening of the justice system

46. According to statistics released on 12 September by the Office of the Prosecutor-General, 2,269 criminal cases were processed between 1 January and 31 August 2012. With 1,991 new criminal cases registered, there were 4,742 pending cases as at 31 August. Operational improvements in case management practices continued with the implementation of the integrated case management system, supported by UNDP and bilateral partners, which is aimed at facilitating cooperation among the Office of the Prosecutor-General, the Office of the Public Defender, the National Directorate for Prison Services and Social Reintegration, PNTL and the courts (see S/2011/641, para. 45). The system is expected to extend, in the next phase, to the Office of the Provedor for Human Rights and Justice.

47. On 29 May, the Council of Ministers approved the National Action Plan on Gender-Based Violence. The development of the Plan was led and coordinated by the Office of the Secretary of State for the Promotion of Equality, with support from a multi-sector national drafting committee, UNDP, UNFPA, UN-Women, UNICEF, UNMIT and the International Organization for Migration (IOM). It entailed a one-year process of broad consultations to ensure the support of various ministries, State institutions, civil society actors and other stakeholders necessary for its implementation. The Plan focuses on three strategic areas of intervention: prevention of gender-based violence, provision of services to victims and access to justice for victims.

48. During the reporting period, pieces of draft legislation concerning certain critical areas, including draft laws relating to juvenile justice and access to the courts as well as land and property rights, remained to be adopted and/or promulgated, with some gaps remaining in the regulatory framework. There were notable developments in the corrections area, supported by UNMIT and UNDP, including the promulgation, on 29 February, of the Decree-Law on the Special Career Regime and Statute of Prison Guards and subsequent completion of specialized training for the prison guard staff of the National Prison Service on the treatment of prisoners and conflict resolution. The first version of standard operating procedures for the National Prison Service was completed, covering such areas as administration, case management, inmate rights, security, health and discipline, with the National Directorate for Prison Services and Social Reintegration establishing working groups to lead discussions on the text. An

analysis of the current situation in prisons to review compliance based on the United Nations Standard Minimum Rules for the Treatment of Prisoners was also undertaken, with UNMIT and UNDP support.

49. Improving access to justice for all segments of the population remains one of the major challenges in the sector. The limited number of public defenders, lack of a comprehensive legal aid regulatory framework and lack of availability of donor funding for legal aid services beyond August (with discussions ongoing as at 20 September) have hindered access, particularly for the most vulnerable groups. Continued training courses for judges, prosecutors, public defenders and private lawyers and other efforts by the Legal Training Centre, supported by UNDP, have helped to address human resources-related capacity gaps, including with the graduation of the first seven private lawyers on 4 July. However, the Centre itself still faces considerable constraints, including as regards human resources and technical and strategic management capacities, resulting in continued dependence on international personnel for certain expertise. Continued support for strengthening national expertise and capacities is thus required. With the support of UNMIT and UNFPA, various initiatives were undertaken to enhance access to justice for victims of domestic and gender-based violence and strengthen accountability for such crimes, such as the integration of gender-based violence investigative skills in the curriculum of the Police Training Centre and a related two-week training course for PNTL officers (30 May to 12 June), as well as the launching of a manual for legal aid lawyers on addressing gender-based violence in Timor-Leste. To facilitate enhanced public confidence in the formal justice system, the Ministry of Justice placed greater focus on public outreach and advocacy, including through a UNDP-supported series of justice-related broadcasts on UNMIT's weekly radio programme and a number of "Taking justice to the people" outreach sessions in various communities.

50. As reflected above, further progress was made towards meeting the objectives and benchmarks of the medium-term strategy in the areas of rule of law, justice and human rights. However, additional efforts are particularly needed to address challenges relating to accountability mechanisms, traditional justice and the implementation of certain laws. Justice sector accountability mechanisms need to be further strengthened, including through efforts to enhance the work of the Superior Councils for the Judiciary, the Public Prosecution Service and the Public Defender, and of the Management and Discipline Council for the Practice of Law. The development of codes of conduct for judges, prosecutors, public defenders and private lawyers is pending. As regards the benchmark for a legal framework which takes into account traditional justice mechanisms that adhere to basic principles of the administration of justice and human rights standards, the reconciliation of traditional and formal justice systems will require more time to address, particularly in terms of handling domestic and gender-based violence. Implementation of certain key laws, such as the Law against Domestic Violence, as well as related monitoring mechanisms, could be enhanced. Considering that investigations into 85 outstanding cases of serious crimes had not been completed by the Serious Crimes Investigation Team as at 20 September (see para. 44 above) and that it is projected that, by the end of the mandate on 31 December, about 20 additional cases will be completed, the related benchmark will not be met by December 2012.

IV. Support for the national priorities programme, socioeconomic development and humanitarian assistance

A. Support for the national priorities programme process

51. Following the conclusion of the national priorities programme in December 2011 (see S/2012/43, para. 43), the Ministry of Finance organized a post-national priorities lessons learned workshop on 12 April 2012, supported by UNMIT and the World Bank. The aim of the workshop was to evaluate lessons drawn from the 2008-2011 programme and to formulate recommendations for the integration of a fragility spectrum paradigm, adopted by the Group of Seven Plus (g7+) fragile States, in a new framework for the implementation of the Timor-Leste Strategic Development Plan for 2011-2030 and the Millennium Development Goals. At the workshop, the Minister of Finance also demonstrated the newly launched Timor-Leste Aid Transparency Portal, an innovative web-based system that is accessible to the public and provides information on disbursed funds and activities by donors, foreign aid projects, and reports on public development spending. Future development efforts will be guided by the Strategic Development Plan and the five-year programme of the Fifth Constitutional Government endorsed by Parliament on 14 September (see para. 3 above), which highlights the development of social capital, infrastructure development, economic development and job creation, and consolidation of the institutional framework as priorities.

52. Following the endorsement of the New Deal for Engagement in Fragile States (see S/2012/43, para. 44), the Government and the Ministry of Finance initiated a number of activities to promote its implementation. On 25 to 27 January, in its capacity as Co-Chair, the Government held a technical meeting of the Group of Seven Plus fragile States, facilitated by the Group's secretariat with UNMIT support, with the objective of developing an action and implementation plan. The meeting focused in particular on how to consolidate the endorsed peacebuilding and State-building goals and develop relevant indicators and strategies to implement the goals at the country level; it also oversaw the establishment of working groups in order to refine the Group's definition of fragility and the fragility spectrum that will be used to help pilot the New Deal in Timor-Leste and six other countries. In addition to participating in the meetings of the International Dialogue on Peacebuilding and State-building (see S/2010/522, para. 44), held in Copenhagen and Nairobi in March and June respectively, at which the New Deal process was further discussed, the Government set up a New Deal Implementation Task Force for Timor-Leste, in which UNMIT participates and provides technical support. As a pilot country, Timor-Leste also embarked on a national fragility assessment to develop country-level indicators for measuring progress within the framework of the New Deal's fragility spectrum, and the Prime Minister and Minister of Finance hosted a Fragility Assessment Workshop on 15 August, which I addressed (see para. 7 above). In recognition of Timor-Leste's remarkable achievements and contributions as Co-Chair of the International Dialogue on Peacebuilding and State-building (see S/2010/522, para. 44) and the outstanding role of the Minister of Finance, Emilia Pires, I appointed her as a member of my High-level Panel of Eminent Persons on the Post-2015 Development Agenda on 31 July.

B. Socioeconomic development

53. According to the Ministry of Finance, the economic growth rate in Timor-Leste remained high at about 11 per cent. The inflation rate was also high, at about 11 per cent from January to May (the latest data available from the National Directorate of Statistics). The causes of inflation were varied and included rising food prices, appreciation of the currencies of major trade partners, a higher level of aggregate demand mainly fuelled by State expenditure, and constraints on the supply of goods and services. According to the Central Bank of Timor-Leste, as at 31 July, the Petroleum Fund had reached $10.6 billion.

54. The fifth meeting of the Timor-Leste development partners was hosted by the Government on 15 and 16 May under the theme "A Nation Moving Forward — Handover Achievements, Challenges and Opportunities for the Future". Delegations from 16 countries and other stakeholders, including UNMIT and United Nations agencies, participated in the meeting, and discussions were broadcast live on television and radio. Since it was the last meeting to be held by the Fourth Constitutional Government, Prime Minister Xanana Gusmão reflected, in his keynote address, on Timor-Leste's 10 years of State-building, including progress made and future challenges and opportunities, and underlined the importance of reconciliation and capacity-building of communities as key elements in the process. The closing of the meeting was marked by a handover ceremony, during which handover reports were presented by each Minister and Secretary of State, as well as by development partners (including United Nations agencies) and civil society, to the Prime Minister to support a smooth transition to a new Government after the parliamentary election.

55. The Government continued or initiated several programmes to address the needs of infants and children. Supported by UNICEF, the Ministry of Social Solidarity began the preparation of a policy for a comprehensive, integrated child and family welfare system, which involved extensive consultations with local communities in four districts. The policy is not yet finalized. In addition, a policy on the establishment of child protection networks at the subdistrict level was approved by the Ministry of Social Solidarity on 29 May. With UNFPA support, the National University of Timor Lorosa'e, provided training to increase the number of qualified midwives in the country and upgraded equipment at its Midwifery School and renovated the skills laboratory (officially opened on 3 September). As part of this training, on 15 June, 25 midwifery clinical instructors completed a course on clinical teaching skills in order to supervise students deployed to health facilities. Also with UNFPA support, the Ministry of Education finalized a curriculum on adolescent sexual and reproductive health for pre-secondary and secondary schools.

56. Addressing unemployment continued to be one of the main priorities of the Government. The Secretariat of State for Professional Training and Employment, with the support of the World Food Programme and the Food and Agriculture Organization of the United Nations, continued work projects in rural communities, including relating to feeder roads, forestry and irrigation systems. These projects engaged a total of 14,730 individuals (51 per cent women). Other labour-intensive programmes promoted by the Secretariat ensured routine maintenance for more than 2,887 kilometres of road and provided more than 2.2 workdays of short-term employment to 78,422 people in rural areas. With support from the International Labour Organization, the Secretariat also made considerable achievements in the

areas of skills development and employment promotion. This included the development of a National Strategy for Employment in Timor-Leste, which was considered by the Council of Ministers on 18 January.

57. Progress continued to be made towards meeting the objectives and benchmarks of the medium-term strategy relating to socioeconomic development, although Timor-Leste continued to face substantial challenges in this area, including in terms of sustained improvements in livelihoods and increasing employment opportunities in rural areas and for young people. Poverty remains one of Timor-Leste's greatest challenges and the Government has intensified efforts to tackle it in the context of its five-year programme, which identifies the development of social capital, economic development and job creation among the priorities (see paras. 3 and 51 above). Average income in urban areas has been increasing, although there are large wage differentials between Dili and the rest of the country. According to the Timor-Leste Demographic and Health Survey 2009-2010, between 2003 and 2010, there were decreases in the rates of under-5 child mortality from 83 per 1,000 live births to 64; infant mortality from 60 per 1,000 live births to 45; and child mortality from 23 per 1,000 live births to 20. Malnutrition remained high, with more than 58.1 per cent of children under the age of five presenting symptoms of being stunted (low height for age) and 44.7 per cent being underweight.

C. Humanitarian assistance

58. There were no major humanitarian incidents or disasters during the reporting period. Timor-Leste's National Directorate for Disaster Management continued efforts to strengthen the Government's integrated disaster management response policies and framework to enhance preparedness for any future humanitarian challenges (see S/2012/43, para. 50). In this regard, the Directorate initiated a comprehensive national hazard profile on natural disasters as part of a joint programme between UNDP and the National Directorate for Disaster Management to be implemented between 2011 and 2013, including a study of risk analyses of hazard-prone areas. The programme's overall objective is to strengthen disaster risk management capacities at the national and district levels. The medium-term strategy benchmark in the area of socioeconomic development relating to the return and reintegration of internally displaced persons has been met (see S/2010/85, para. 14; S/2010/522, para. 52).

V. Transition preparation

59. Together with other stakeholders, the Government and UNMIT continued to collaborate and make further progress on the transition process, including in the context of the High-level Committee on Transition (see S/2012/43, para. 51), which held meetings on 2 February, 27 April, 10 August (just two days after the formation of the new Government) and 20 September (see para. 60 below). At the 10 August meeting, chaired by President Taur Matan Ruak and attended by the Vice-Prime Minister, the President of Parliament, various Government ministers and representatives, the PNTL General Commander, the F-FDTL Commander and my Acting Special Representative and the UNMIT senior management team, the Committee reviewed progress in the implementation of the Joint Transition Plan in

each of its focus areas. In conveying continued commitment to the Joint Transition Plan mechanism, the Government confirmed its new focal points for the seven transition focus areas. With respect to the policing area, the PNTL General Commander and UNMIT Police Commissioner gave a presentation on the status of implementation of the activities under the PNTL-UNMIT Police Joint Development Plan (see paras. 21, 24 and 25 above) and discussed the ongoing process to facilitate preparation for certification of the full reconstitution of PNTL as well as the UNMIT police drawdown plan and the projected end of operational support to PNTL by 31 October (see para. 28 above). The monitoring of the Joint Transition Plan for the April-June 2012 quarter showed continued good progress in the implementation of activities, with 83 per cent of the Plan's 129 activities progressing as planned and activities, on average, 68 per cent completed as at 30 June. On behalf of the Government, the Minister for Foreign Affairs indicated that a team had been established comprising staff from the Government, the Office of the President and Parliament to review the options for post-UNMIT arrangements included in the Joint Transition Plan and to come to a joint position.

60. On 20 September, President Taur Matan Ruak chaired an extraordinary meeting of the High-level Committee on Transition to discuss the post-UNMIT United Nations engagement in Timor-Leste, attended by Prime Minister Xanana Gusmão, Acting President of Parliament, various Government ministers and officials, the PNTL General Commander and the F-FDTL Commander, as well as my Acting Special Representative, Finn Reske-Nielsen, and the UNMIT senior management team. At the meeting, the Prime Minister handed to my Acting Special Representative a letter addressed to me presenting the Government's position, following broad consultations, on the post-UNMIT United Nations role in the country (see S/2012/736, annex; paras. 64, 65, 69 and 75 below). In his remarks at the meeting, the Prime Minister emphasized that the United Nations would continue to be an important partner in the new phase of the country's development and that areas of collaboration would be further discussed in the context of the Joint Transition Plan, the Government's five-year programme and the Timor-Leste Strategic Development Plan for 2011-2030.

61. In a further effort to facilitate completion of its mandate and a smooth transition, UNMIT entered into an innovative partnership with four United Nations country team members (UNDP, UNFPA, UNICEF and UN-Women) to carry out particular mandated activities from July to December 2012, with UNMIT financial support and arrangements set out in memorandums of understanding. These partnership arrangements, which relate to activities set out in the Integrated Strategic Framework for Timor-Leste 2011-2012 in the medium-term strategy priority areas of ensuring security and stability, rule of law, justice and human rights, a culture of democratic governance and dialogue, and socioeconomic development, are also in line with my initiative on civilian capacity in the aftermath of conflict (see A/66/311-S/2011/527 and A/67/312-S/2012/645). On 22 February, former President Ramos-Horta and Chair of the United Nations Development Group, Helen Clark, co-chaired a Member States consultation on Timor-Leste, moderated by my former Special Representative, Ameerah Haq, with representatives of the Permanent Missions to the United Nations as well as United Nations agencies, funds and programmes and various departments. At the event, the Minister of Finance presented a portfolio of 34 United Nations country team projects, formulated together with the Government, in support of the consolidation of peace

in Timor-Leste following UNMIT's planned departure. The portfolio covers a three-year period (2012-2014) and requires total funding of approximately $76 million, or $25.3 million per year. Since the Member States consultation, the Government and United Nations agencies, funds and programmes have appealed to Member States to provide funding for the portfolio projects.

62. In view of the expected closure of UNMIT, the Mission also scaled up its training activities under its multi-phase capacity-building project in order to enhance the skills of its national staff, including in such areas as administration, vocational training and the English and Portuguese languages, so that they have greater employment prospects after their service with the Mission (see S/2011/641, para. 59). Ninety per cent of the approximately 850 UNMIT national staff have taken one or more courses on offer and, as at 20 September, 340 had completed the Mission's internal certification programme.

63. Following the elections, UNMIT initiated the implementation of a drawdown strategy in August, in consultation with the Government, with the aim of ensuring that the objectives of the Joint Transition Plan will be met within the remaining mandate period. The strategy includes the projected end of the operational support by UNMIT to PNTL on 31 October, the closure of all regional offices by 15 December and the end of air operations on 17 December. As the four regional offices close, the facilities will be handed back to the Government and certain UNMIT equipment will be transferred (mainly items for continued use by PNTL), pursuant to the Financial Regulations and Rules of the United Nations and subject to approval by the General Assembly (see S/2012/43, para. 52). During the liquidation period following the end of UNMIT's mandate, four of the five UNMIT compounds in Dili will also be handed back to the Government and one will be retained by the United Nations country team.

VI. Post-UNMIT United Nations role

64. With regard to the post-UNMIT United Nations engagement, as mentioned in paragraph 60 above, Prime Minister Xanana Gusmão sent a letter dated 20 September 2012 to me (see S/2012/736, annex) expressing the Government's appreciation and heartfelt gratitude to the United Nations for the commitment, solidarity and support given to Timor-Leste from the time of the popular consultation in 1999 up until today and recalling that circumstances as a young and post-conflict country, facing challenges understood so well, justified the establishment of several and different United Nations missions, both to assist the State-building process and to ensure national peace and stability. In this context, he also highlighted the role played by UNMIT in the restoration of internal security and in providing support to the Timorese State to consolidate democracy, improve political dialogue and develop measures to promote tolerance and emphasized that, for that reason, the initial mandate of UNMIT had been extended by the Security Council until December 2012, taking into account the scheduled 2012 presidential and parliamentary elections. The Prime Minister further conveyed that the Government was deeply satisfied to conclude that the assumptions underpinning the drafting of the Joint Transition Plan, which had been approved by both parties on 19 September 2011, had been successfully met, namely: stability had prevailed; general elections had been held in accordance with international standards; the Government had been formed based on the outcome of the elections; and the political opposition had space to operate, in accordance with

democratic principles. In addition, he noted that significant progress had been made in the primary areas identified in the UNMIT transitional process, leading the Government to believe that the overall political and social environment in Timor-Leste was stable and that it was now in a position to assume leadership of the national development process, including consolidation of the building of a democratic State in accordance with the rule of law and the implementation of the Strategic Development Plan for 2011-2030.

65. After recalling the areas in which UNMIT had performed its activities and provided support, the progress achieved in the country, and the broad consultation conducted by the President with the opposition, the National Parliament, the church and civil society, the Prime Minister went on to convey Timor-Leste's position on the post-UNMIT United Nations engagement. He stated that Timor-Leste no longer required United Nations support through the presence of either a United Nations peacekeeping or political mission beyond the end of 2012 and that consequently, there was no requirement for the continued consideration of Timor-Leste affairs by the Security Council. In noting that the United Nations would continue to be an important partner in the new phase of the development of the country, the Prime Minister also stated that, in accordance with the progress achieved by the country and consistent with the principles of the Group of Seven Plus fragile States and the New Deal, Timor-Leste would like to establish with the United Nations an innovative working relationship of cooperation with a focus on institutional strengthening and development.

VII. Financial aspects

66. The General Assembly, by its resolution 66/270 of 21 June 2012, appropriated the amount of $155.4 million for the maintenance of UNMIT for the period from 1 July 2012 to 30 June 2013. Should the Security Council decide not to extend the mandate of UNMIT beyond 31 December 2012, the cost of the Mission's drawdown and administrative liquidation would be accommodated from within the resources approved by the General Assembly.

67. As at 31 August 2012, unpaid assessed contributions to the Special Account for UNMIT amounted to $54.5 million. The total outstanding assessed contributions for all peacekeeping operations as at that date amounted to $3,161.8 million.

68. As at 31 July 2012, amounts owed to formed police contributors to UNMIT totalled $11.9 million. Reimbursement of formed police and contingent-owned equipment costs has been made for the periods up to 31 August 2011 and 30 June 2011 respectively.

VIII. Observations and recommendations

69. This has indeed been an encouraging and landmark year for Timor-Leste in many ways, with substantial progress shown in multiple spheres. As mentioned earlier, it has been a year marking several historic milestones, including Timor-Leste's tenth anniversary of the restoration of its independence and the thirteenth anniversary of the popular consultation in 1999 (see para. 5 above). It has also been a year in which Timor-Leste successfully conducted three rounds of elections in a

calm and secure environment. And it has been a year in which Timor-Leste displayed strong leadership, as Co-Chair of both the International Dialogue on Peacebuilding and State-building and the Group of Seven Fragile States in promoting the implementation of the New Deal for Engagement in Fragile States and the achievement of the Millennium Development Goals. In addition, it will be a year with one more milestone — the ending of the United Nations peacekeeping presence in Timor-Leste, where, for more than a decade now, a succession of United Nations operations and missions have worked closely in partnership with the Government and its people to support their efforts to emerge from conflict and focus on building sustainable peace and security, democratic State institutions, and inclusive and equitable socioeconomic development. At the same time, and as I have conveyed to the Timorese leadership, the United Nations embraces the Government's proposal for the United Nations to continue to be an important partner in the new phase of the country's development and to establish an innovative working relationship of cooperation for the post-UNMIT phase focusing on institutional strengthening and development.

70. As expressed during my recent visit, Timor-Leste has made impressive advances during the decade since the restoration of its independence, particularly since the crisis in 2006, which led to the establishment of UNMIT, and my visit to the country in December 2007 (see S/2008/26, paras. 13-14). In 2010, the United Nations technical assessment mission noted that the country had recovered from the 2006 crisis insofar as the immediate challenges had been resolved (see S/2010/85, paras. 21 and 22), including with stability and security restored, the return of about 150,000 internally displaced persons and the closure of all tented camps, and the gradual reintegration of the dismissed F-FDTL "petitioners" into civilian life. The security situation has remained calm and stable since the first post-2006 test of the attacks on the President and the Prime Minister on 11 February 2008 (see S/2008/501, paras. 3 and 4). PNTL exercised responsibility for the conduct of all police operations in Timor-Leste in the past 18 months, and the reported crime rate has remained low, with UNMIT police focusing on further institutional development and capacity-building while providing operational support in certain areas (see para. 21 above).

71. Considerable progress has also been made in strengthening institutional and human resources capacities of other State institutions, including in the security, justice and governance sectors, which were virtually non-existent 13 years ago but now play crucial roles in safeguarding stability and democracy. Parliament serves as a dynamic forum for political debate, with the constructive participation of both governing coalition and opposition parties. It is particularly encouraging that the presidential and parliamentary elections this year were held in a peaceful and orderly manner (with much less United Nations support than in 2007), with high levels of voter participation and acceptance of results by all, leading to the formation of a new Government and the inauguration of a new Parliament. Further, within the framework of the Timor-Leste Strategic Development Plan for 2011-2030 and the Government's five-year programme, increased efforts are being made to improve the daily lives of citizens. All of these remarkable achievements reflect the strong commitment among Timor-Leste's leaders and population to democratic governance, the rule of law and building a secure and stable future. As highlighted during my visit, this progress also demonstrates that Timor-Leste is on a promising trajectory, and it is in this positive atmosphere that the United Nations is preparing

for the withdrawal of UNMIT at the end of 2012 and engaging in discussions on a new form of United Nations engagement to tailor its support to the changing needs of the country.

72. Together with these promising developments, however, Timor-Leste continues to face many challenges, as mentioned above in the overview of progress made in the four mandated priority areas of UNMIT covered by the medium-term strategy (see paras. 8-58). Although a number of the strategy benchmarks have been substantially met, weaknesses and gaps remain, owing in large part to continuing human resources capacity constraints. While it was noted earlier that important progress has been made in the security sector, with laws, regulations and codes that delineate the roles of PNTL, F-FDTL and other security sector institutions in place (see para. 35 above), effective implementation will be critical, including as regards respect for civilian oversight and the rule of law and human rights (see also S/2011/641, para. 36).

73. Further support for developing sustainable national capacities and strengthening State institutions will be required, particularly in the justice and socioeconomic sectors and in PNTL. In the area of justice, continued efforts to strengthen the development of national judicial capacities and expertise will be needed, including through further training for judges, prosecutors, public defenders and private lawyers and enhanced support for the valuable Legal Training Centre (see para. 49 above). Support should also continue to be provided to the Office of the Provedor for Human Rights and Justice. Efforts should focus on measures and ways to enhance access to justice, particularly for vulnerable groups and persons living in rural areas, and to promote accountability, including in respect of crimes against humanity and other serious crimes as well as domestic and gender-based violence, which persists. I also hope that Parliament will resume debate on the draft laws on reparations and on the follow-up institution to the Commission for Reception, Truth and Reconciliation and the Commission of Truth and Friendship.

74. Efforts to tackle socioeconomic challenges and promote equitable and inclusive development throughout the country, especially for persons in rural areas, women and young people, will be a long-term process which the Government is addressing through its five-year programme recently endorsed by Parliament and the Timor-Leste Strategic Development Plan for 2011-2030. It is encouraging that there has been improvement in many human development indicators in recent years, but the more limited progress against some indicators, such as those dealing with malnutrition, underline that continued and enhanced efforts are needed in a number of areas, particularly to ensure the provision of quality education (promoted by my global Education First initiative) and health services, promote rural development and create increased job opportunities for young people. I commend the efforts by Timor-Leste to ensure that the foundation and parameters for sustainable peace and development are nationally driven and that international assistance is responsive to meeting its most pressing needs, as reflected by its role as Co-Chair of the Group of Seven Plus fragile States and its active leadership in promoting implementation of the New Deal for Engagement in Fragile States, including through its self-assessment as a pilot country. UNMIT and the United Nations country team have supported Timor-Leste's efforts to implement the New Deal at the country level, and the United Nations will remain its steadfast partner in the period ahead.

75. In this context, I am pleased to recommend that UNMIT continue to proceed with its phased drawdown through the next three months until the completion of its mandate on 31 December 2012, consistent with the views of the Government as set out in the letter from the Prime Minister addressed to me (see paras. 64 and 65 above) and as envisaged in the Joint Transition Plan. The Prime Minister has also explained that the Government has formed a working group to start discussions with the United Nations on matters identified in the Joint Transition Plan for the post-2012 period and that the National Planning Matrix will be used to evaluate these activities and will be the primary tool utilized when designing post-2012 programmes as an integrated part of the country's budget process. The Prime Minister has indicated that this will ensure a more coordinated, harmonized and strengthened development programme of activities, with the aim of achieving the Millennium Development Goals through the implementation of the Government's five-year programme and the Timor-Leste Strategic Development Plan for 2011-2030. Considering the long-standing support provided by UNMIT and the United Nations country team to Timor-Leste over the past years, including in the context of the Joint Transition Plan signed on 19 September 2011 by the President, Prime Minister and my former Special Representative for Timor-Leste, Ameerah Haq (see S/2011/641, para. 58), I welcome the establishment of the above-mentioned working group and have asked my Acting Special Representative to ensure that the UNMIT senior management team and United Nations country team partners fully collaborate with and engage in discussions with the working group to facilitate its work.

76. In preparation for the anticipated withdrawal of the Mission, planning has been ongoing for the drawdown of UNMIT's police and military personnel as well as its civilian personnel, in consultation with the Government. As mentioned in the above section on the transition process (see paras. 59-63), it is projected that UNMIT police will end operational support to PNTL by 31 October. Following the planned UNMIT police reduction, out of the 1,149 officers deployed as at 20 September (see para. 21 above), it is currently expected that approximately 70 police officers will leave in October, 540 in November and 30 in December. In addition, it is planned that UNMIT's formed police units will be withdrawn during the two weeks following the end of operational support to PNTL, with the Malaysian, Bangladeshi, Portuguese and Pakistani units due to leave on 8, 10, 12 and 14 November respectively. Corresponding to the reduction of respective Mission activities during the remaining mandate period through December, it is planned that UNMIT's international civilian personnel (totalling 332 as at 20 September) will be reduced by approximately 59 staff in October, 81 in November and 132 in December, with about 67 staff to be retained for the liquidation team.

77. I applaud the continued progress in the joint transition process and the close partnership maintained between Timorese and UNMIT counterparts, as well as the progress cited in the implementation of the Joint Transition Plan activities over the reporting period (see para. 59 above). As it is proposed that the Mission be concluded at the end of its current mandate on 31 December, I call on all involved, including the Timorese authorities and other national stakeholders, UNMIT and the United Nations country team, as well as bilateral and multilateral partners, to continue to work together and intensify their efforts to facilitate the effective implementation of the Plan's remaining activities. While I have underlined the importance of achievements that have been made by the leaders and people of

Timor-Leste since 2006, it is critical to continue to support their additional efforts to build sustainable peace and development and promote human rights, so as to preserve the gains made to date.

78. The final certification of the full reconstitution of PNTL, anticipated to take place around the end of October, will mark the progress that PNTL has made since 2006. However, building a professional and impartial police service that respects the rule of law and human rights is a long-term undertaking. While the implementation of the PNTL-UNMIT Police Joint Development Plan will conclude by December with the end of the Mission's mandate, requirements for continued capacity-building and institutional strengthening support, including in respect of PNTL's disciplinary mechanisms, will remain. In this regard, I urge the Government to finalize the review of the 49 cases of PNTL officers with pending disciplinary, criminal and/or administrative issues (see para. 26 above). I also appeal to the Government to ensure that sufficient budgetary funds are allocated to meet PNTL's logistical needs, and encourage donor States and other partners to continue to provide support for PNTL's institutional strengthening, as needed, in the years ahead.

79. In conclusion, I wish to thank my former Special Representative, Ameerah Haq, and my Acting Special Representative, Finn Reske-Nielsen, for their leadership, and all the personnel of UNMIT and the United Nations country team for their efforts in supporting the people of Timor-Leste in advancing peace, stability and development as they proceed in their important journey of State-building. Their resilience and commitment to national unity and working together to build a more prosperous society for all of the population of Timor-Leste serves as an inspiring example for all of us. I also wish to thank the international security forces for their continued support to UNMIT.